

Update to the Faculty Senate Executive Committee, August 15 2011

Summary

Per Executive Committee authority Jon Dorbolo convened a task force core consisting of Dennis Bennett (Writing Center), Robin Pappas (CTL), Malcolm Lemay (Business), Phillip Harding (Engineering), and Jon Dorbolo (TAC). The task force agreed to:

1. Work with COB implementation of Turnitin as a pilot of plagiarism detection.
2. Draft policy for notification of students and use of Turnitin by instructors.
3. Develop training for instructors in plagiarism issues and effective use of Turnitin.
4. Pilot implementation of existing resources in F11 for student training about plagiarism.
5. Investigate Copyright and legal issues related to plagiarism detection software.
6. Investigate accessibility issues related to plagiarism detection software.
7. Investigate diversity/global issues related to plagiarism detection software.
8. Assess outcomes of COB Turnitin pilot via instructors and students.

As the task force effort proceeds we shall recruit additional members to advise on policy and assessment, including students and representatives from major divisions and key administrative units.

Timeline

June 10, 2011: Dorbolo met with the Faculty Senate Executive Committee to update them on the plagiarism detection investigation and the development of COB licensing of Turnitin. Proposed was the creation of a task force to draft policy and research issues related to plagiarism detection. The Executive Committee recommended that a COB deployment of Turnitin be engaged as a pilot opportunity and that task force efforts be focused on answering key concerns and drafting of policy for instructors and students.

July 7, 2011: Received from Faculty Senate President Jack Higgenbotham; *“The Executive Committee endorses the Ad Hoc Plagiarism Committee you proposed on June 10, 2011 to look at evolving technologies to assist faculty in identifying plagiarism. The Executive Committee anticipates receiving recommendations for consideration of possible implementation during academic year 2011-2012 no later than August 15, 2011.”*

July 15, 2011: Assembled a task force core consisting of Dennis Bennett (Writing Center), Robin Pappas (CTL), Malcolm Lemay (Business), Phillip Harding (Engineering), and Jon Dorbolo (TAC). We will seek to expand this core with Ann Marie Dettering (Library) and Shannon Riggs (Ecampus), as well as student representation. Agreed to an outline of task force activities.

August 12, 2011: Task force meets to complete syllabus statement recommendation.

Action Items

1. Work with COB implementation of Turnitin as a pilot of plagiarism detection.

College of Business has licenses with Turnitin.com for a 2,500 user license for the 2011-2012 academic year. The Plagiarism Mitigation Task Force will work with COB students, faculty, and staff to employ this implementation as a pilot. The pilot will include assessment and feedback from students and instructors (see section 8 below). The pilot instance will allow selected instructors from outside of COB to use Turnitin.

2. Draft policy for notification of students and use of Turnitin by instructors.

A recommended statement of purpose, limits and, options indented for inclusion in course syllabi is as follows;

This course uses Turnitin, a plagiarism detection system. Students are required to submit designated written work through the online Turnitin system. That system will check for matches between submitted work and internet sources as well as comparing submitted works for significant matches. Turnitin returns reports assessing the percentage of text matching and allows the instructor to view suspected matches in order to judge the likelihood of plagiarism. Instances of detected plagiarism may be referred to the Office of Student Conduct.

As defined in the Oregon State University Student Conduct Code, Plagiarism is; “Representing the words or ideas of another person or presenting someone else's words, ideas, artistry or data as one's own, or using one's own previously submitted work. Plagiarism includes but is not limited to copying another person's work (including unpublished material) without appropriate referencing, presenting someone else's opinions and theories as one's own, or working jointly on a project and then submitting it as one's own.”

Consistent with the OSU Student Conduct Code, The primary purpose for using a plagiarism detection system is to “maintain and protect an environment conducive to learning, in keeping with the educational objectives of Oregon State University.” These educational objectives include proficient and individual effort in academic writing.

<http://oregonstate.edu/studentconduct/code>

You will have the opportunity to submit your work to Turnitin in draft form in order to check how the system evaluates your work, given that other assignments this term may not have yet been added to the system. You may reduce the likelihood of plagiarism in your work in three ways:

1. Use proper style, quotations, and references.
2. Use the online Plagiarism Resource Site (see your online course site).
3. Consult with the OSU Writing Center (<http://writingcenter.oregonstate.edu>)

Submitted work will be retained as comparison documents in the Turnitin.com reference database. Works in that database will be retained as source documents in future terms. Works in the Turnitin.com reference database will be used solely for the purpose of detecting plagiarism.

This is a draft statement. The Task Force will consult The Office of Student Conduct, Academic Affairs, and The Office of the General Counsel concerning the acceptability of this statement before distributing it to COB instructors. An objective of the pilot is to gather feedback from students and instructors concerning the effectiveness of the statement.

3. Develop training for instructors in plagiarism issues and effective use of Turnitin.

Technology Across the Curriculum (TAC) in collaboration with the Center for Teaching and Learning (CTL) and The OSU Writing Center will produce workshops, webinars, and training materials assist instructors with emphasis on:

- Policies developed by the task force
- Effective identification of plagiarism
- Issues of diversity and accessibility
- Writing assignment strategies that resist plagiarism
- Effective use of Turnitin, particularly interpretation of results

These faculty development resources shall be available throughout the 2011-2012 academic year.

4. Pilot implementation of existing resources in F11 for student training about plagiarism.

Research shows that online training for students reduces incidents and degrees of plagiarism (Jacob, 2010). The COB Turnitin pilot will include access to online resources designed to inform students about plagiarism, including:

OSU Libraries

<http://osulibrary.oregonstate.edu/instruction/classign/Plagiarism.html>

Plagiarism Resource Site

<http://abacus.bates.edu/cbb/>

We believe that resources designed to reduce plagiarism that are implemented across the OSU

curriculum will yield a positive result in plagiarism mitigation and serve students. Throughout this pilot we intend to seek funding to produce advanced plagiarism training for students and instructors.

6. Investigate Copyright and legal issues related to plagiarism detection software.

Some universities, via administrations, student groups, and faculty senates, have banned the uses of plagiarism detection software. A Canadian court ruled in favor of a McGill student who refused to submit assignments computer content checking. At the very least the use of computer content scanning is controversial and open to legal challenge. The most recent court rulings, however show the University to be on firm legal ground in using plagiarism detection software.

In 2002 Turnitin commissioned law firm Satterlee Stephens Burke & Burke to develop an opinion concerning issues related to copyright, fair use, and ownership of student work submitted to Turnitin plagiarism detection software. The opinion finds that student copyright is not infringed,

Dan Burk (University of Minnesota Law) argues (Foster, 2002) that archiving student work via Turnitin and Safeassign methods does not meet the conditions for fair use. A main point in Burk's position is that Turnitin is a commercial operation, hence not eligible fair use status. This point is commonly asserted by OSU members who object to plagiarism detection software. The point is sometimes put that "the company makes profit from the student's work."

Case law supports the claim that plagiarism detection tools need not infringe copyright of students' work. In a 2007 suit, Eastern District of Virginia against iParadigms LLC, high school students claimed paper archiving in the Turnitin system is copyright infringement of the student's work. The district court found that the archiving of the papers fell within the fair use exception to copyright infringement, 17 U.S.C. § 504, and dismissed the students' claims. In 2009 the United States Court of Appeals for the Fourth Circuit unanimously affirmed the 2007 decision of the district court. I have not found case law related to copyright and SafeAssign. There is plenty of speculation by those who are not legal professionals.

Court findings that archiving student work for plagiarism detection is a practice of fair use and not copyright infringement. That is, archiving student's work was not a copyright infringement because it falls within the fair use exception to copyright infringement.

7. Investigate accessibility issues related to plagiarism detection software.

Upon implementing Turnitin for COB we will seek finding from OSU Disability Access Services (DAS) concerning accessibility issues of the tool-set from both student and instructor perspectives.

8. Investigate diversity/global issues related to plagiarism detection software.

During the pilot (Fall 2011 - Spring 2012) we shall seek advisory concerning diversity and global issues related to plagiarism and plagiarism detection including the offices of International Programs, Community and Diversity, and Equity and Inclusion.

9. Assess outcomes of COB Turnitin pilot via instructors and students.

The pilot is run on a research-based model resulting in assessments of students, instructors, and academic outcomes.

Sources

Anderson, Nate. 2009. Court flunks high schoolers' appeal on plagiarism database. Ars Technica. <http://arstechnica.com/tech-policy/news/2009/04/headline-here.ars>

Eastern District of Virginia against iParadigms LLC
http://www.umbc.edu/ogc/docs/av_v_iparadigms%20re%20turnitin.pdf

<http://pacer.ca4.uscourts.gov/opinion.pdf/081424.P.pdf>

Foster, Andrea L. 2002. Plagiarism-Detection Tool Creates Legal Quandary; The Chronicle of Higher Education; May 17.

Jacob, Brian. 2010. Rational Ignorance in Education: A Field Experiment in Student Plagiarism.